

**Supplement to Amended Acknowledgment and
Amended Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

Entry 2008005765
Book 1094 Page 919-927 \$0.00
12-JUN-08 08:56
RANDY SIMMONS
RECORDER, UINTAH COUNTY, UTAH
GOVERNOR OF THE STATE OF UTAH
STATE CAPITOL COMPLEX E220 PO BOX 14220
Rec By: HEATHER HOLMES , DEPUTY

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

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This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Uintah County known as Baeser Bend Road; County Road Number: 2360; State Geographic Information Database (SGID) Road Identification Number: RD240438.

This document supplements and supports the information contained in the document first recorded at **Ent 2006012458, Bk 1006, Beg Pg 846**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **12/27/2007** at **Ent 2007014346, Bk 1068, Beg Pg 825**. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 6th day of June, 2008.

By the Governor's Designee



John Harja

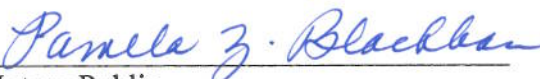
CERTIFICATION

State of Utah)
: ss
County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 6th day of June, 2008.





Notary Public

Exhibit A

AFFIDAVIT OF LORIN T. MERKLEY

BAESER BEND/3000 SOUTH ROAD

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 2360/3000S

State of Utah)
 : ss
County of Uintah)

LORIN T. MERKLEY, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Vernal, Uintah County, Utah. I have lived in Uintah County 76 years.
2. I have traveled and am familiar with a road in Uintah County known as the Baeser Bend/3000S Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1940, it followed the same route as in 1999, when I last observed it. Attached is a Uintah County map showing Baser Bend/3000S Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County also identifies this road according to the road number listed above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1936 and continuing through 1976 to 1999. Throughout this time period I have observed travel on the road by various means, including wagon, horse, buggies, pickups and oil trucks. Throughout this time period, the road has been used daily.

5. Throughout the time period from 1940 to 1999, I have used the road myself for livestock operations.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: farming, livestock operations, oil and gas exploration or development and fishing.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1940 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance and construction on the road prior to 1976: the graded surface of the road since 1959.

DATED this 17 day of October, 2006.


LORIN T. MERKLEY

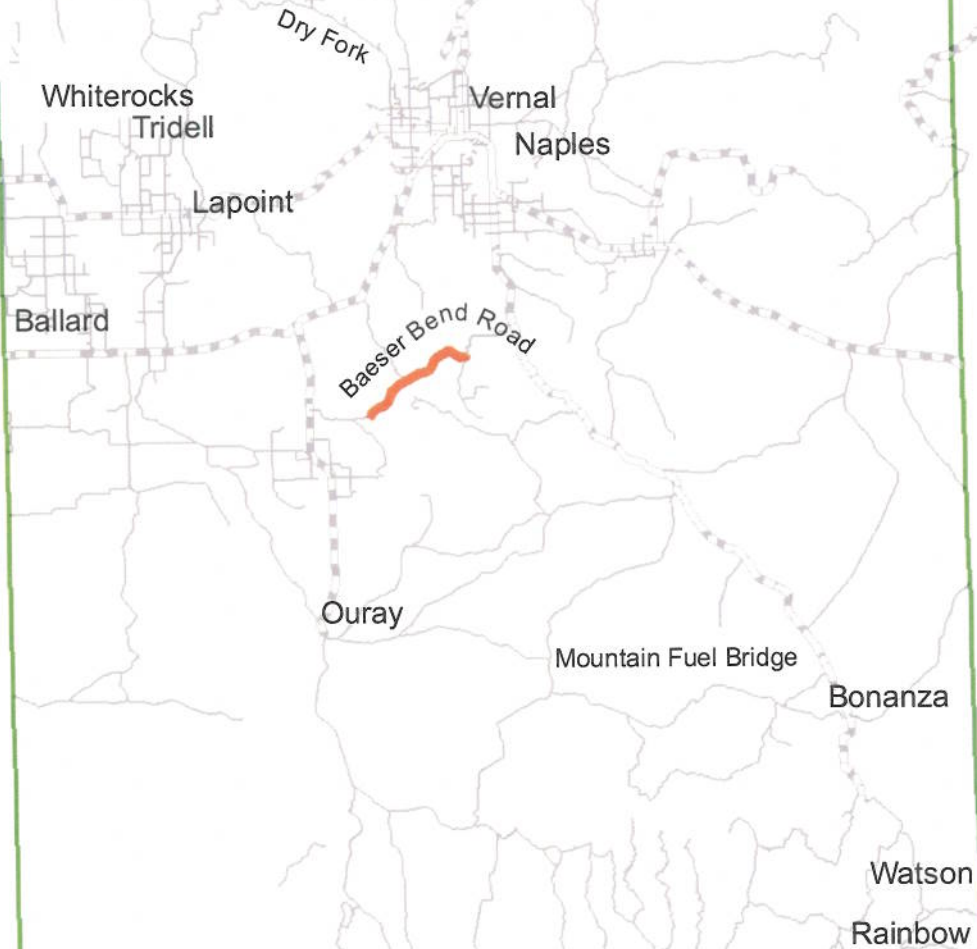
SUBSCRIBED AND SWORN to before me this 17 day of October, 2006.





NOTARY PUBLIC

UINTAH COUNTY

Baeser Bend Road
Road # 2360
RD240438



Legend

 Baeser Bend Road

Roads

 Class B Roads

 Federal or State

 Uintah County



AFFIDAVIT OF ARDEN W. STEWART

BAESER BEND/3000 SOUTH ROAD,

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 2360/3000S

State of Utah)
 : ss
County of Uintah)

ARDEN W. STEWART, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Uintah County, Utah. I have lived in Uintah County 74 years.
2. I have traveled and am familiar with a road in Uintah County known as the Baeser Bend/3000S Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1936, it followed the same route as in 1999 when I last observed it. Attached is a Uintah County map showing Baser Bend/3000S Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County also identifies this road according to the road number listed above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1936 and continuing through 1976 to 1999. Throughout this time period I have observed travel on the road by various means, including wagon, horse, buggies, pickups and oil trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from 1936 to 1999, I have used the road myself for the following uses: for traveling from my ranch in Willow Creek to Vernal.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: farming, livestock operations, prospecting for minerals, oil and gas exploration or development, tourism, wood-gathering, fishing, traveling in and through the area, recreation (camping, picnicking, hiking, and/or sight-seeing), hunting, logging, trapping and government access.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1936 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: People moving rocks or filling in wash outs in the years since 1936.

DATED this 17 day of October, 2006.


ARDEN W. STEWART

SUBSCRIBED AND SWORN to before me this 17 day of October, 2006.



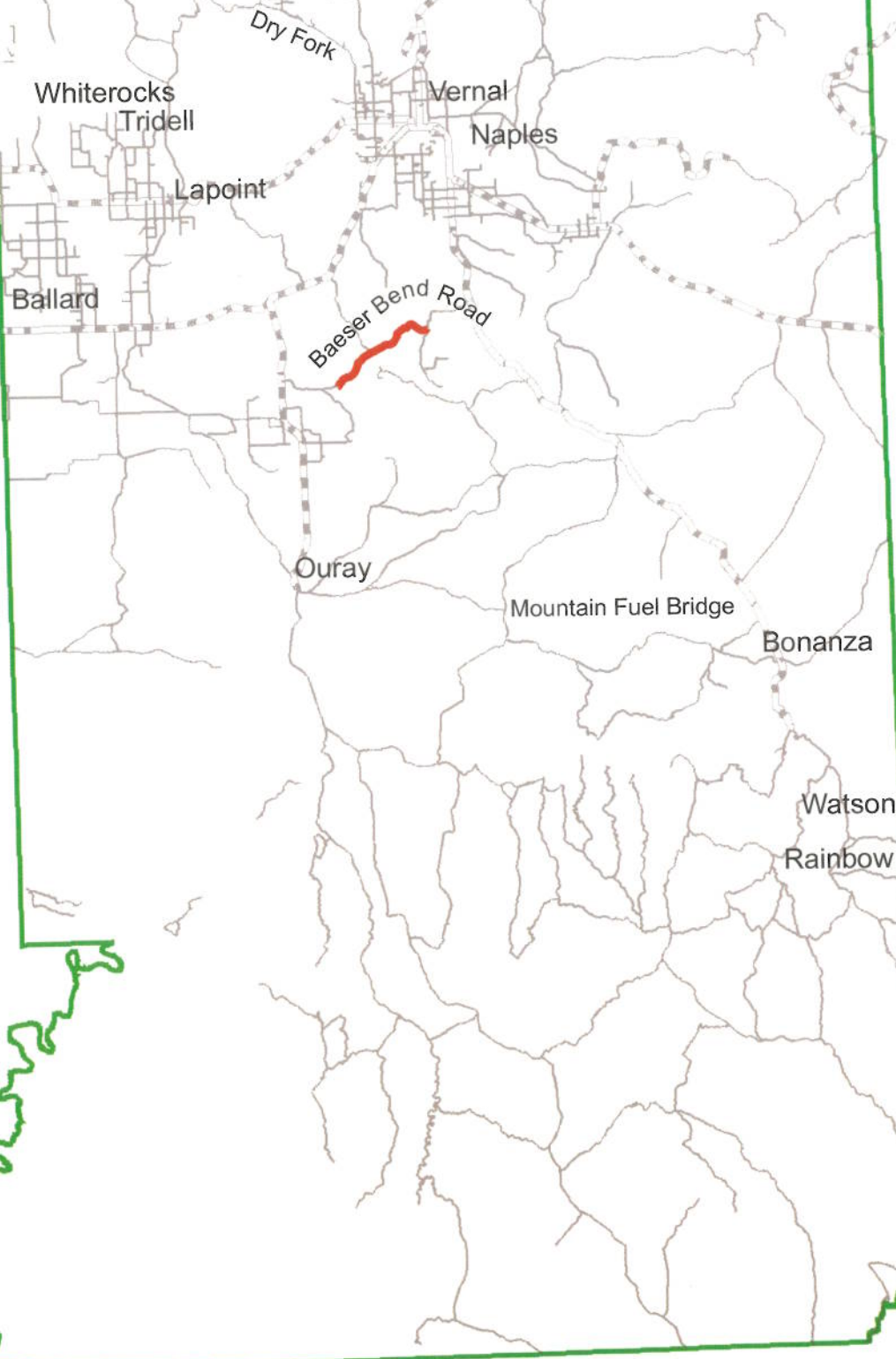

NOTARY PUBLIC

UINTAH COUNTY


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Baerer Bend Road
Road # 2360
RD240438



Legend

 Baerer Bend Road

Roads

 Class B Roads

 Federal or State

 Uintah County



Uintah County



Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: Baeser Bend Road

County: Uintah

County Road Number: 2360

State Geographic Information Database (SGID) Road Identification Number: RD240438.

Total Road Length: 6.85 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 14 minutes 54.44 seconds North Latitude and -109 degrees 37 minutes 28.74 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,163,833.3 feet and Y = 7,264,713.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 17 minutes 31.81 seconds North Latitude and -109 degrees 31 minutes 43.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,190,255.0 feet and Y = 7,281,209.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 6 South Range 20 East, Section(s) 36, Salt Lake Base & Meridian

Township 6 South Range 21 East, Section(s) 14,15,16,20,21,22,23,29,30,31, Salt Lake Base & Meridian